

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

Jane Doe, a minor,

Plaintiff

Case No.: 9:25-CV-80642

v.

The School District of Palm Beach County,  
Defendant

**PLAINTIFF'S MOTION TO DISMISS COMPLAINT WITHOUT PREJUDICE**

Plaintiff Jane Doe, by and through undersigned counsel, respectfully moves this Honorable Court for an order dismissing the above-captioned action without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(2), and states as follows:

1. Plaintiff filed this action on May 24, 2025, asserting claims under the Civil Rights Act, 42 U.S.C. § 1983
2. The Complaint itself correctly identifies Jane Doe as Plaintiff and The School District of Palm Beach County as Defendant.
3. However, during the electronic case opening process in the CM/ECF system, a clerical error occurred whereby both parties were inadvertently entered as Defendants, resulting in an incorrect docket classification.
4. As a result of this entry error, the complaint has not been properly filed under the correct party designations.
5. No Summons has been issued in this matter, nor has the filing fee been paid at this time.
6. To remedy the clerical error and ensure proper filing and service, Plaintiff seeks to voluntarily dismiss this matter without prejudice and refile the complaint with the corrected party designations and appropriate procedural steps.
7. No responsive pleadings or dispositive motions have been filed, and dismissal at this early stage will not prejudice any party.

**WHEREFORE**, Plaintiff respectfully requests that the Court enter an order dismissing this action without prejudice, allowing Plaintiff to refile the complaint properly, and for such other and further relief as the Court deems just and proper.

DATED this 30<sup>th</sup> day of May, 2025.

Respectfully submitted,

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